UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.   CASE NO.: 2:19-cr-28-FtM-38MRM

MICHAEL P. ELLARD

ORDER[1]

Before the Court on the Joint Motion for Restitution Order Based Upon Stipulated Amount filed on January 28, 2020. (Doc. 60). The Government and the Defendant Michael P. Ellard seek to have their joint motion granted and further request that the Court incorporate the stipulated amount of restitution in an amended judgement, pursuant to 18 U.S.C. § 3556 and § 3663.

On December 16, 2019, the Defendant was sentenced to a term of 15-months imprisonment for transporting wildlife in violation of State Law (Lacey Act Violation). (Doc. 58). At the time of sentencing the amount of restitution was unknown, therefore a Restitution Hearing was set for March 2, 2020.

The parties have agreed and stipulated that Michael P. Ellard shall pay restitution in the total amount of $56,000.00 (representing 140 Wood Turtles with a fair market value of $400 each), payable to: West Virginia Division of Natural Resources, Wildlife Section Elkins Operation Center, Attention: Liz Shrader, 738 Ward Road, Elkins, West Virginia 16241.
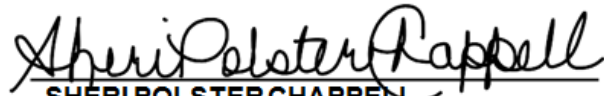
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Accordingly, it is now

ORDERED:

(1) The Joint Motion for Restitution Order Based Upon Stipulated Amount (Doc. 60)

    is **GRANTED**.

(2) The Clerk of Court is **DIRECTED** to enter an amended judgment as to Defendant

    Michael P. Ellard reflecting the $56,000.00 restitution as ordered.

(3) The restitution hearing set for March 2, 2020, is hereby **CANCELLED**.

    DONE AND ORDERED in Fort Myers, Florida on this 3rd day of February 2020.

SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: Counsel of Record